

U.S. Patent Application No. 10/044,539  
Attorney Docket: 015389-002630US

## DECLARATION

We,

Thomas R. Cech, a citizen of the United States, residing at 11516 MORNING  
RIDE DRIVE, POTOMAC, MD 20854; *HS*  
Joachim Linger, a citizen of Switzerland, residing at 7/1/02

Toru Nakamura, a citizen of Japan, residing at \_\_\_\_\_

Karen B. Chapman, a citizen of the United States, residing at \_\_\_\_\_

Gregg B. Morin, a citizen of the United States residing at *RECEIVED*  
*LICENSING & REVIEW*  
*JUL 2 2002*

Calvin B. Harley, a citizen of Canada, residing at \_\_\_\_\_

William H. Andrews, a citizen of the United States residing at \_\_\_\_\_; and

declare:

That we made and conceived the invention described and claimed in patent application Serial No. 10/044,539 filed in the United States of America on January 11, 2002, titled HUMAN TELOMERASE CATALYTIC SUBUNIT: DIAGNOSTIC AND THERAPEUTIC METHODS;

That we made and conceived this invention while employed by Geron Corporation  
*TRC* (Karen B. Chapman, Gregg B. Morin, Calvin B. Harley and William H. Andrews) or the  
*Howard Hughes Medical Institute* University of Colorado/University Technology Corporation (Thomas R. Cech, Joachim Linger and Toru Nakamura); That the invention is related to the work we were employed to perform and was made within the scope of our employment duties; That the invention was made during working hours and with the use of facilities, equipment, materials, funds, information and services of Geron Corporation and the *Howard Hughes Medical Institute* University of Colorado/University Technology Corporation.

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That to the best of our knowledge and belief, the invention was not made or conceived in the course of, or in connection with, or under the terms of any contract, subcontract or arrangement entered into with or for the benefit of the United States Atomic Energy Commission or its successors: Energy Research and Development Administration or the Department of Energy.

The undersigned inventors declare further that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Inventor's Signature: Thomas R Cech Date: 6-12-2002  
Thomas R. Cech

Post Office Address: 11516 MORNING RIDE DR., POTOMAC, MD 20854

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Joachim Linger

Post Office Address: \_\_\_\_\_

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Toru Nakamura

Post Office Address: \_\_\_\_\_

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Karen B. Chapman

Post Office Address: \_\_\_\_\_

U.S. Patent Application No. 10/044,539  
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Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Gregg B. Morin

Post Office Address: \_\_\_\_\_

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Calvin B. Harley

Post Office Address: \_\_\_\_\_

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
William H. Andrews

Post Office Address: \_\_\_\_\_

DE 7072721 v1

U.S. Patent Application No. 10/044,539  
Attorney Docket: 015389-002630US

## DECLARATION

We,

Thomas R. Cech, a citizen of the United States, residing at \_\_\_\_\_

Joachim Linger, a citizen of Switzerland, residing at Chemin de la Pechollette 6B,  
CH-1066 Epalinges, SWITZERLAND;

Toru Nakamura, a citizen of Japan, residing at \_\_\_\_\_

Karen B. Chapman, a citizen of the United States, residing at \_\_\_\_\_

Gregg B. Morin, a citizen of the United States residing at \_\_\_\_\_

Calvin B. Harley, a citizen of Canada, residing at \_\_\_\_\_

William H. Andrews, a citizen of the United States residing at \_\_\_\_\_

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Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Thomas R. Cech

Post Office Address: \_\_\_\_\_

Inventor's Signature: J. Linger Date: June 14, 2002

Joachim Linger

Post Office Address: Chemin de la Pechelettez 6B, CH-1066 Eralinger, SWITZERLAND

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Toru Nakamura

Post Office Address: \_\_\_\_\_

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Karen B. Chapman

Post Office Address: \_\_\_\_\_

U.S. Patent Application No. 10/044,539  
Attorney Docket: 015389-002630USInventor's Signature: Gregg B. Morin Date: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Inventor's Signature: Calvin B. Harley Date: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Inventor's Signature: William H. Andrews Date: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

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## DECLARATION

We,

Thomas R. Cech, a citizen of the United States, residing at \_\_\_\_\_

Joachim Linger, a citizen of Switzerland, residing at \_\_\_\_\_

Toru Nakamura, a citizen of Japan, residing at 3527 Hatteras Ave.  
San Diego, CA 92117, USA

Karen B. Chapman, a citizen of the United States, residing at \_\_\_\_\_

Gregg B. Morin, a citizen of the United States residing at \_\_\_\_\_

Calvin B. Harley, a citizen of Canada, residing at \_\_\_\_\_

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Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Thomas R. Cech

Post Office Address: \_\_\_\_\_

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Joachim Linger

Post Office Address: \_\_\_\_\_

Inventor's Signature: \_\_\_\_\_ Date: June 11, 2002  
Toru Nakamura

Post Office Address: 3527 Hatteras Ave. San Diego, CA 92117

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Karen B. Chapman

Post Office Address: \_\_\_\_\_

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Inventor's Signature: Gregg B. Morin Date: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Inventor's Signature: Calvin B. Harley Date: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Inventor's Signature: William H. Andrews Date: \_\_\_\_\_

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DE 7072721 v]

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Joachim Linger, a citizen of Switzerland, residing at \_\_\_\_\_

Toru Nakamura, a citizen of Japan, residing at \_\_\_\_\_

Karen B. Chapman, a citizen of the United States, residing at 107 Middle Road, Southborough, MA 01772

Gregg B. Morin, a citizen of the United States residing at \_\_\_\_\_

Calvin B. Harley, a citizen of Canada, residing at \_\_\_\_\_

William H. Andrews, a citizen of the United States residing at \_\_\_\_\_

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Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Thomas R. Cech

Post Office Address: \_\_\_\_\_

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Joachim Linger

Post Office Address: \_\_\_\_\_

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Toru Nakamura

Post Office Address: \_\_\_\_\_

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Karen B. Chapman

Post Office Address: 107 Middle Road Southborough, MA 01772

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Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Gregg B. Morin

Post Office Address: \_\_\_\_\_

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Calvin B. Harley

Post Office Address: \_\_\_\_\_

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
William H. Andrews

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Toru Nakamura, a citizen of Japan, residing at \_\_\_\_\_;

Karen B. Chapman, a citizen of the United States, residing at \_\_\_\_\_;

Gregg B. Morin, a citizen of the United States residing at 176 Blyth Cres.  
OAKVILLE, ON L6J 5H6 CANADA;

Calvin B. Harley, a citizen of Canada, residing at \_\_\_\_\_;

William H. Andrews, a citizen of the United States residing at \_\_\_\_\_; and

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Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Thomas R. Cech

Post Office Address: \_\_\_\_\_

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Joachim Linger

Post Office Address: \_\_\_\_\_

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Toru Nakamura

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Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Karen B. Chapman

Post Office Address: \_\_\_\_\_

U.S. Patent Application No. 10/044,539  
Attorney Docket: 015389-002630US

Inventor's Signature: Gregg B. Morin Date: 11 Jun 02  
Gregg B. Morin

Post Office Address: 176 Blyth Cres, Oakville, ON L6J 5H6 Canada

Inventor's Signature: Calvin B. Harley Date: \_\_\_\_\_  
Calvin B. Harley

Post Office Address: \_\_\_\_\_

Inventor's Signature: William H. Andrews Date: \_\_\_\_\_  
William H. Andrews

Post Office Address: \_\_\_\_\_

DE 7072721 v1

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Toru Nakamura, a citizen of Japan, residing at \_\_\_\_\_;

Karen B. Chapman, a citizen of the United States, residing at \_\_\_\_\_;

Gregg B. Morin, a citizen of the United States residing at \_\_\_\_\_;

Calvin B. Harley, a citizen of Canada, residing at 1730 University Ave,  
Palo Alto, California 94301; and

William H. Andrews, a citizen of the United States residing at \_\_\_\_\_;

declare:

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Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Thomas R. Cech

Post Office Address: \_\_\_\_\_

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Joachim Linger

Post Office Address: \_\_\_\_\_

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Toru Nakamura

Post Office Address: \_\_\_\_\_

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Karen B. Chapman

Post Office Address: \_\_\_\_\_

U.S. Patent Application No. 10/044,539  
Attorney Docket: 015389-002630US

Inventor's Signature: Gregg B. Morin Date: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Inventor's Signature: Calvin B. Harley Date: 2002.06.12

Post Office Address: 1730 University Ave, Palo Alto, California 94301

Inventor's Signature: William H. Andrews Date: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

DE 7072721 v1

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## DECLARATION.

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Joachim Linger, a citizen of Switzerland, residing at \_\_\_\_\_;

Toru Nakamura, a citizen of Japan, residing at \_\_\_\_\_;

Karen B. Chapman, a citizen of the United States, residing at \_\_\_\_\_; JUL 2 2002

Gregg B. Morin, a citizen of the United States residing at \_\_\_\_\_;

Calvin B. Harley, a citizen of Canada, residing at \_\_\_\_\_;

William H. Andrews, a citizen of the United States residing at 1340 \_\_\_\_\_; and

Antelope Valley Road 8~~00~~ Reno, Nevada 89506

declare:

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Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Thomas R. Cech

Post Office Address: \_\_\_\_\_

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Joachim Linger

Post Office Address: \_\_\_\_\_

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Toru Nakamura

Post Office Address: \_\_\_\_\_

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Karen B. Chapman

Post Office Address: \_\_\_\_\_

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Inventor's Signature: Gregg B. Morin Date: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Calvin B. Harley

Post Office Address: \_\_\_\_\_

Inventor's Signature:  Date: 7/1/02  
William H. Andrews

Post Office Address: 250 S. Rock Blvd #130, Reno, NV 89502

DE 7072721 v1

I hereby certify that this correspondence is being sent by facsimile  
transmission to:

Ms. Jeter at Fax No.: 703-305-6384

On July 2, 2002

TOWNSEND and TOWNSEND and CREW LLP

By:

Maisie C. Livengood

**PATENT**  
Attorney Docket No.: 015389-002630US  
Client Ref. No.: 018/212C

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Thomas R. Cech et al.

Application No.: 10/044,539

Filed: January 11, 2002

For: HUMAN TELOMERASE  
CATALYTIC SUBUNIT:  
DIAGNOSTIC AND  
THERAPEUTIC METHODS

Art Unit:

REQUEST FOR RECONSIDERATION

Licensing and Review Department  
Patent and Trademark Office  
Washington, D.C. 20231

Dear Ms. Jeter:

In response to the Notice mailed May 21, 2002, classifying the above-identified applications as "useful in the production or utilization of special nuclear material or atomic energy", attached are Declarations from each inventor:

- (i) setting forth the facts regarding the circumstances under which the invention was made; and
- (ii) establishing that the invention was not developed or conceived in connection with the United States Atomic Energy Commission or its successor, such as the Department of Energy.

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Thomas R. Cech et al.  
Application No.: 10/044,539  
Page 2

PATENT

In view of these Declarations, it is respectfully requested that this classification be withdrawn.

If you have any questions regarding this Request or the subject matter of the application, please call the undersigned at 303-571-4000.

Respectfully submitted,



Scott L. Ausenhus  
Reg. No. 42,271

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: (415) 576-0200  
Fax: (415) 576-0300  
SLA:mcl  
DE 7075254 v1

Atty Docket No. 015389-002630US

PTO FAX NO.: 703-305-6384

ATTENTION: Ms. Jetter  
TELEPHONE NO.:

Group Art Unit

**OFFICIAL COMMUNICATION****FOR THE PERSONAL ATTENTION OF****Ms. Jeter – Licensing and Review Department****CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that the following document in re Application of Thomas R. Cech et al., Application No. 10/044,539, filed January 11, 2002 for HUMAN TELOMERASE CATALYTIC SUBUNIT: DIAGNOSTIC AND THERAPEUTIC METHODS is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Document(s) Attached

1. Submission of Declarations
2. Declarations signed by inventors

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JUL - 2 2002  
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Number of pages being transmitted, including this page: 24

Dated: July 2, 2002

  
Maisie C. Livengood

*PLEASE CONFIRM RECEIPT OF THIS PAPER BY  
RETURN FACSIMILE AT (415) 576-0300*

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, CA 94111-3834  
Telephone: 303-571-4000 (Denver)  
Fax: 303-571-4321 (Denver)

\*\*\*\*\*  
\*\*\* ACTIVITY REPORT \*\*\*  
\*\*\*\*\*

RECEPTION OK

TX/RX NO.	1857
CONNECTION TEL	303 571 4321
CONNECTION ID	
START TIME	07/02 15:31
USAGE TIME	04'59
PAGES	24
RESULT	OK